

Ramos, J

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DATE FILED: 4/7/2016

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

NORVAX, LLC d/b/a GOHEALTH

Plaintiff,

-against-

ACCESS CLINICAL PARTNERS, LLC,  
d/b/a GOHEALTH URGENT CARE,

Defendant.

1:16 Civ. 00550-ER (ER)

**ECF CASE**

**ORDER TO SHOW CAUSE FOR A PRELIMINARY INJUNCTION**

Upon the Declaration of Robert J. Barz dated April 6, 2016, the exhibits annexed thereto, the Declaration of Clint Jones dated April 6, 2016, the exhibits annexed thereto, and the accompanying Memorandum of Law in Support of Its Motion for a Preliminary Injunction, it is

ORDERED, that the above named defendant show cause before a motion term of this Court, at Room 619, United States Courthouse, Southern District of New York, located at The Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, on April 13, 2016, at 2:30 o'clock A.M./P.M. thereof, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure and 15 U.S.C. § 1116 enjoining the Defendant and any respective affiliates, subsidiaries and related entities, agents, servants, attorneys, employees, officers and all persons and entities in active concert and privity with them, during the pendency of this action from infringing Plaintiff's GOHEALTH trademarks by: A) using "GOHEALTH" in connection with any product, service, website, or any other business in any manner not authorized by Plaintiff; B) engaging in any act likely to cause confusion, deception, or mistake, or to deceive as

to the origin, sponsorship, approval or association with Plaintiff's GOHEALTH mark; C) using "GOHEALTH" in any way that will injure Plaintiff's business reputation, or dilute, tarnish or disparage the distinctive quality of the GOHEALTH mark; and it is further

✓ ORDERED that security in the amount of \$ \_\_\_\_\_ be posted by the plaintiff prior to \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ o'clock P.M. of that day; and it is further

ORDERED that personal service of a copy of this Order, with the underlying papers upon which it was granted, and the Complaint filed January 25, 2016, upon the Defendant by delivering copies thereof to the offices of Matthew Yungwirth at Duane Morris LLP, 1075 Peachtree St., Suite 2000, Atlanta, Georgia 30309 via ~~First-Class Mail~~, shall be deemed good and sufficient service thereof. *fax and overnight mail*


ORDERED that answering papers, if any, be filed with the Court and delivered by overnight express courier upon Plaintiff by serving its counsel, Eric A. Prager at K&L Gates LLP, 599 Lexington Ave, Floor 32, New York, New York 10022-6030 on or before 12:00 noon o'clock P.M. and hand delivering a copy of the Court's chambers by that time. *April 12, 2016*

The Defendant is hereby put on notice that failure to attend the show cause hearing scheduled herein may result in the immediate issuance of the preliminary injunction, and shall extend during the pendency of this action the same injunctive relief.

✓ DATED: April 7, 2016

New York, New York

ISSUED: 5:15 *P* M

  
\_\_\_\_\_  
United States District Judge

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